

MESSAGE NO: 3133301 MESSAGE DATE: 05/13/2013
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: 78 FR 17183 FR CITE DATE: 03/20/2013

REFERENCE MESSAGE # (s): 0144303, 0259301, 0343305, 0362304, 3084302

CASE #(s): A-570-890

EFFECTIVE DATE: 03/20/2013 COURT CASE #: 10-00352

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 05/13/2013

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty amended scope determination on wooden bedroom furniture from the People's Republic of China (A-570-890)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 6 below.

1. Commerce received a scope ruling request from Legacy Classic Furniture, Inc. Commerce issued a final scope ruling on 11/22/2010 that the Heritage Court Bench (Model 800-4800) is within the scope of the antidumping duty order covering wooden bedroom furniture from the People's Republic of China (A-570-890) (message 0328309).
2. On 12/22/2010, Commerce received a preliminary injunction in connection with court number 10-00352 which enjoined liquidation of entries of the Heritage Court Bench (Model 800-4800) imported by Legacy Classic Furniture, Inc. (message 0362304).
3. On 03/06/2013, the United States Court of International Trade sustained Commerce's final results of second redetermination, which construed the scope of the order as excluding the Heritage Court Bench (Model 800-4800). Therefore, on 03/20/2013, Commerce published in the Federal Register "Wooden Bedroom Furniture from the People's Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision" (78 FR 17183) (message 3084302). As a result of this decision, the injunction to which message number 0362304 refers enjoining liquidation of entries of the Heritage Court Bench (Model 800-4800) which were imported by Legacy Classic Furniture, Inc. dissolved on 05/06/2013.
4. For all entries of the Heritage Court Bench (Model 800-4800) which were imported by Legacy Classic Furniture, Inc. that remain unliquidated on or after 06/24/2004, CBP shall terminate suspension and liquidate the entries which were entered, or withdrawn from warehouse, for consumption.
5. Refund any cash deposits and release any bonds relating to the Heritage Court Bench described above.

6. These instructions constitute notice of the lifting of suspension of liquidation of entries of the Heritage Court Bench which were imported by Legacy Classic Furniture, Inc. and entered, or withdrawn from warehouse, for consumption on or after 06/24/2004.

7. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

8. Unless instructed otherwise, for all other shipments of wooden bedroom furniture from the People's Republic of China not covered by paragraph 4 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

9. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O4:LEA.)

10. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party